

NICHOLAS MARCHI
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Attorneys for Defendant
ALFREDO MAGANA GARIBAY

UNITED STATES DISTRICT COURT
IN AND FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALFREDO MAGANA GARIBAY,

Defendant

Case No. 4:15-CR-6049-EFS-18

MOTION TO REOPEN DETENTION
HEARING AND MODIFY DETENTION
ORDER AND ATTACHED MEMORANDUM
OF LAW

Note: July 31, 2018 at 2:30 pm
Before Magistrate Judge Dimke at Richland

MOTION

COMES NOW the defendant, ALFREDO MAGANA GARIBAY, by and through her attorneys, CARNEY & MARCHI, and requests this Court reopen the Detention Hearing held on June 22, 2017 and have a status conference as to release. This motion is made pursuant to 18 U.S. C. §3145 and based on information, which did not exist at the time of the hearing. This motion is based on the attached memorandum of law.

DATED this 18th day of July 2018.

s/Nicholas Marchi
Nicholas Marchi, WSBA 19982
CARNEY & MARCHI
Attorneys for Defendant

MEMORANDUM OF LAW

A. Facts

Mr. Magana Garibay is charged by Indictment with one count of Conspiracy to Distribute Methamphetamine in violation of 21 U.S.C. §846. He was ordered detained by this Court on June 15, 2017. On June 17, 2017, at a subsequent Detention Hearing conditions of release were set. See ECF 457 Mr. Magana Garibay has now completed the requirements for release, but an issue may have arisen regarding a weapon that was disclosed in the first Pre-Trial Services Report. See ECF 438 and 457. Mr. Magana Garibay request the Court address this issue as he is prepared to post bond and wishes to be released.

B. Conclusion.

It appears that Mr. Magana Garibay has complied with the conditions or will once he posts the bond.

DATED this 18th day of July 2018.

Respectfully Submitted,

S/ Nicholas Marchi
Nicholas Marchi, WSBA 19982
CARNEY & MARCHI
Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that a copy of the Motion to Re-Open Detention Hearing was e-mailed via ECF on 7/19/2018, to S. Van Marter, Assistant United States Attorney, 402 E. Yakima, Suite 210, Yakima, WA 98901.

S/ Nicholas Marchi
CARNEY & MARCHI, P.S.
Attorneys for Defendant